

**TOWNSHIP OF WALL**

**ORDINANCE NO. 20-2018**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY CREATING NEW CHAPTER 164-3 OF THE TOWNSHIP CODE TO PROHIBIT CONDITIONS WHICH WOULD CONSTITUTE PUBLIC HEALTH NUISANCES**

**WHEREAS**, the Township of Wall, through adoption of Wall Township Municipal Code Chapter 164 regulates the Peace and Good Order of activities within the Township of Wall in an effort to maintain the quiet enjoyment for all the residents of Wall Township; and,

**WHEREAS**, the Township desires to create new Code Section 164-3 to regulate activities that would constitute public health nuisances; and,

**NOW, BE IT ORDAINED** by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

**Section 1.**

**A. Adoption of standards.**

A code defining and prohibiting certain matters, things, conditions or acts and each of them as a nuisance, prohibiting certain noises or sounds, requiring the proper heating of apartments, prohibiting lease or rental of certain buildings, prohibiting spitting in or upon public buildings, conveyances or sidewalks, authorizing the inspection of premises by an enforcing official, providing for the removal or abatement of certain nuisances and recovery of expenses incurred by the Board of Health in removing or abating such nuisances and prescribing penalties for violations is hereby established pursuant to N.J.S.A. 26:3-69.1 et seq. A copy of the code is annexed to this chapter and made a part of it without the inclusion of the text.

Whenever the noise standards included in this section are in conflict with Wall Township Code 164-2, Noise Control, the standards of 164-2 shall control.

**B. Title of code.**

The code established and adopted by this chapter is described and commonly known as the "Public Health Nuisance Code of New Jersey (1953)."

**C. Public record.**

Three copies of the Public Health Nuisance Code of New Jersey (1953) have been placed on file in the offices of the Secretary of the Board of Health and the Township Clerk and for the use and examination of the public.

**D. Enforcing officials.**

"Enforcing officials" shall mean and include regular and special patrolmen and superior officers of the Police Department, the Code Official or Building Official, the Plumbing Inspector of the Township, the Executive Officer, the Certified Health Officer or any other official authorized by the Board of Health to enforce this code and chapter.

**E. Violations and penalties.**

Violations of the provisions of this chapter shall be punishable as provided in Chapter 1, Article 1 et. Seq. entitled "General Penalty, in the Wall Township Code.

**Section 2.** All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

**Section 3.** This Ordinance may be renumbered for codification purposes.

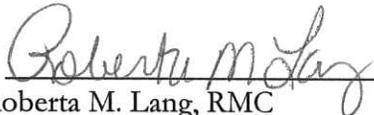
**Section 4.** In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

**Section 5.** This Ordinance shall take effect upon final passage and publication as provided by law.

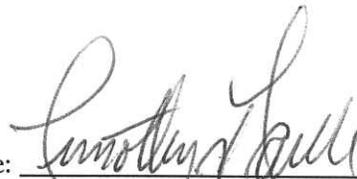
**Introduced:** October 24, 2018

**Adopted:** November 20, 2018

Attest:

  
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Roberta M. Lang, RMC  
Township Clerk

Approve:

  
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Timothy Farrell  
Mayor